

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_  
In Re: \_\_\_\_\_ X  
Chapter 13  
  
SPIRO MILLIARESSIS & ANN MILLIARESSIS \_\_\_\_\_ X  
Index No. 08-22504

**NOTICE OF WITHDRAWAL OF MOTION**

Please take notice that the motion objecting claim #2 of AMERICA'S SERVICING COMPANY, AS SERVICER FOR AMERIPATH MORTGAGE CORP is hereby withdrawn.

\_\_\_\_\_  
/s/  
Shmuel Klein (SK 7212)  
Law Office of Shmuel Klein, PC  
Attorney for Debtor  
268 ROUTE 59  
Spring Valley, NY 10977  
(845)425-2510

**CERTIFICATE OF SERVICE**

STATE OF NEW YORK  
COUNTY OF ROCKLAND)

I, Shmuel Klein, an attorney admitted to practice before this court affirms under the penalties of perjury that I am not a party to this action and that I am over the age of 18 years old. I have offices located at 268 Route 59, Spring Valley, New York 10977, and I served the within Notice of Withdrawal on July 9, 2008 by telefax, addressed to the following persons:

Steven J. Baum, P.C.  
Attn: Nicole C. Gazzo, Esq.  
(716) 204-4660

\_\_\_\_\_  
/s/  
Shmuel Klein